

REMARKS/ARGUMENTS

The Office Action dated March 13, 2003 has been carefully reviewed, and these remarks are responsive thereto. Applicants respectfully request reconsideration and allowance of this application.

I. General Remarks Relating To The Content Of This Amendment

Applicants acknowledge, with appreciation, the Examiner's indication that claims 1-10 and 12-26 in this application contain patentable subject matter. This Amendment addresses the various issues raised by the Examiner in the March 13, 2003, Office Action, and it is believed that the application is in condition for allowance.

By this Amendment, editorial amendments are made in the specification to correct various minor informalities noted therein, including the minor informality noted by the Examiner on page 2 of the Office Action. With respect to the claims, claims 1-10 and 12-26 are now pending in this application. Claims 1-7, 9, 10, 13, 17, 18, 25, and 26 remain in their original form, and claims 11, 27, and 28 are canceled without prejudice or disclaimer by this Amendment. Claims 8, 12, 14-16, and 19-24 are changed in this Amendment. Minor editorial changes are made in claims 8, 14, 16, 19, 20, 22, and 24. Claim 12 is rewritten in independent form to incorporate all of the features of now-canceled claim 11. The changes to claims 15, 21, and 23 are described in more detail below. No new matter is included in this Amendment.

II. Objection To Specification

The Office objected to page 5, line 14 of the specification for referring to "Fig. 1" when either "Fig. 1A" or "Fig. 1B" was intended. By this Amendment, Applicants have amended the portion of the specification noted by the Examiner to refer to "Fig. 1A." Withdrawal of this objection is respectfully requested.

III. Rejection Of Claims 15-23 As Indefinite

The Office also rejected claims 15-23 under 35 U.S.C. § 112, second paragraph, as being incomplete for not reciting a cooperative relationship between the pointing member and the elements of the claims. Applicants note that the Examiner has indicated that these claims are

otherwise allowable. Accordingly, in order to expedite prosecution and to facilitate allowance of this application, independent claims 15, 21, and 23 have been amended to recite that the position of the pointing member is measured relative to the claimed device and that “the pointing member interacts with at least one of the first, second, third, and fourth capacitive nodes.” Support for these changes is readily evident throughout the specification as originally filed. Accordingly, Applicants respectfully submit that these claims are in condition for allowance.

IV. Rejection Based On Cited Art

The Office rejected claims 11, 27, and 28 based on various cited patent documents. While Applicants do not concede that these rejections were proper, in order to expedite prosecution and to facilitate allowance of this application, claims 11, 27, and 28 are canceled without prejudice or disclaimer by this Amendment. Accordingly, these rejections are rendered moot. Applicants reserve all rights to pursue claims similar in scope to present claims 11, 27, and 28 in the future, *e.g.*, in a continuing application.

V. Comments Regarding Examiner’s Statement Of Reasons For Allowance

The Statements in the Office Action relating to various allowed claims are noted. While Applicants agree that these claims describe patentable subject matter, some clarifying comments are warranted.

In discussing claims 1-10, the Office states that claim 1 includes, *inter alia*, a frequency ratio determinator that determines “a ratio of the first and second frequencies.” See the Office Action at page 6, lines 15-16. Applicants note, however, that claim 1 recites “determining a ratio of the first and second characteristics.” These characteristics may be associated with the frequencies, but they are not necessarily the frequencies themselves.

Also, the Office Action statement relating claims 24-26 does not track the language of independent claim 24. For example, the statement indicates that the second oscillator generates a second signal having a second frequency, whereas claim 24 recites that the second oscillator is “configured to generate a second signal having a second characteristic.” Again, this characteristic may be associated with a frequency, but it is not necessarily the frequency itself.

VI. Conclusion

Applicants respectfully submit that no fee is required for this submission. However, if any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly. Also, if an extension of time is necessary that is not accounted for in this Amendment or any accompanying papers filed with it, the necessary extension is requested. Please charge the extension fee to Deposit Account No. 19-0733.

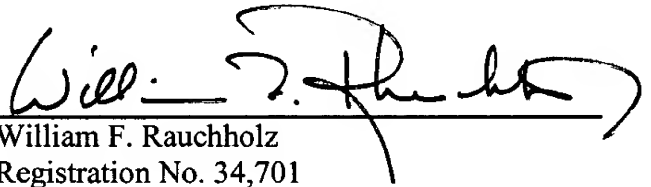
All rejections having been addressed, Applicants respectfully submit that this application is in condition for immediate allowance and respectfully solicit prompt notification of the same.

Respectfully submitted,

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